

Amendments to the Specification:

Please delete the paragraphs beginning on page 12, line 24, through page 13, line 18 . (deleted text being struck through):

~~A volume determining means 30 may be operationally coupled to the data storage means 40 for determining a volume of material is moved by the moving equipment 2.~~

~~In an embodiment, the volume determining means 30 further comprises a plurality of sound wave generators 31 and a plurality of sound wave receivers 32. The sound wave generators 31 are for projecting sound waves against the material being moved. The sound wave receivers 32 are for receiving sound waves, from an associated one of the plurality of sound wave generators 31, bouncing off of the material such that a difference between transmit time and receive time determines a distance traveled. Thus, a volume occupied by the material is determined for each area associated with a pairing of associated sound wave generator 31 and sound wave receiver 32.~~


~~In still a further embodiment, the plurality of sound wave generators 31 comprises a plurality of ultrasonic sound wave generators for minimizing environmental effects on the accuracy of the volume determining means. Correspondingly, the plurality of sound wave receivers 32 comprises a plurality of ultrasonic sound wave receivers for minimizing environmental effects on the accuracy of the volume determining means. Each one of the plurality of ultrasonic receivers is operationally pairs with an associated one of the ultrasonic sound wave generators.~~

Appln. No. 10/040,339

Amendment dated September 16, 2003

Reply to Office Action mailed March 18, 2003

Please add the following new paragraph after the paragraph ending on line 16 of page 15:

 A conventional volume determining means or weight determining means may be operationally coupled to the data storage means for determining a volume of material being moved by the moving equipment. A wide variety of volume determining means are known in the art including ultrasonic sound wave generators and receivers.